

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW HAMPSHIRE

Joseph Vaillancourt
a/k/a Bryan Bernard

v.

Civil No. 06-cv-438-JD

Bernie Campbell, et al.

O R D E R

As the docket reflects in this matter, the plaintiff has inundated the Clerk's office with pleadings, letters and requests to "retain" evidence/discovery for him. Despite numerous admonitions from the Clerk's office to refrain from filing evidence/discovery unrelated to a specific pleading, on June 7, 2007, the plaintiff again submitted a four-inch ream of discovery/evidence. When Clerk's office staff assembled the documents for return to the plaintiff, they apparently inadvertently returned pleadings that the plaintiff had filed on the same date. Those documents were an Objection to the Magistrate Judge's Report and Recommendation dated May 3, 2007, and an Addendum to that Objection.

By order dated June 11, 2007 (document no. 202), the court approved the Magistrate Judge's Report and Recommendation. In its order, the court noted that the plaintiff had not objected to the Report and Recommendation. Plaintiff has resubmitted the previously returned Objection and Addendum to Objection to the

Report and Recommendation at issue and has effectively requested that the court vacate its order approving the Report and Recommendation and review the matter de novo.

Because the Clerk's office apparently did inadvertently return the pleadings at issue to the plaintiff and they were not before the court when it considered the Report and Recommendation at issue, the court vacates its order approving the Report and Recommendation (document no. 202) and will consider the matter de novo.

Having reviewed the plaintiff's submissions, the court finds the plaintiff's arguments to lack merit and approves the Report and Recommendation of Magistrate Judge Muirhead dated May 3, 2007 (document no. 164). The court also notes that the Objection and Addendum, which were submitted on June 7, 2007, were untimely filed. The motion for preliminary injunction (document no. 38) is denied.

The court notes that the plaintiff's voluminous filings have done little to advance the cause of his case. The plaintiff would be well advised to concentrate on his principle claims and

present them in a clear fashion. The court focuses on the quality of what is filed and not the quantity.

SO ORDERED.



Joseph A. DiClerico, Jr.
United States District Judge

June 26, 2007

cc: Nancy J. Smith, Esquire
Nancy Sue Tierney, Esquire
Joseph Vaillancourt, pro se